

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

YOEL WEISSHAUS, X
Plaintiff : Case: 11-cv-6616-RKE
vs. :
THE PORT AUTHORITY OF NEW YORK :
AND NEW JERSEY, :
Defendants. : X

**NOTICE OF MOTION FOR AN ORDER COMPELLING DISCOVERY
AND RELATED RELIEF**

PLEASE TAKE NOTICE: UPON the annexed Declaration In Support
With Points Of Law For An Order Compelling Discovery And Related Relief,
dated October 16, 2020, pursuant to 37 of the Federal Rules of Civil Procedure,
PLAINTIFF Yoel Weiss haus moves this Court, before the Honorable Richard K.
Eaton, designated to preside for, United States District Court at the United States
District Court for the Southern District of New York, at 500 Pearl Street, New
York, NY, for an order:

- a. Compelling the Port Authority of New York and New Jersey to comply with and provide initial disclosures as required by FRCP 26(a).
- b. Compelling the Port Authority of New York and New Jersey to comply with and provide written answers to Plaintiff's demand for interrogatories as required by FRCP 33(b)(1)(B).
- c. Compelling the Port Authority of New York and New Jersey to comply with Plaintiff's demands for document production and provide written

answers corresponding with each of those demands as required pursuant FRCP 34(b)(2).

- d. Compelling the Port Authority of New York and New Jersey to designate a witness under FRCP 30(b)(6) who could with knowledge, of the business records, testify about the actual allocation of toll revenues: whether the interdependent transportation system (ITN) revenues are protected from non-ITN expenses.
- e. Modify the discovery order (ECF 85) to allow sufficient time of subpoena process, on former personnel of the Port Authority, to preserve testimony, about their personal knowledge of facts related to the matter pending before the Court.
- f. Pursuant to FRCP 30(b)(4) to allow the depositions to be held by remote means, before a court reporter, by Pirozzi & Hillman, Inc., utilizing <https://reporter.vtestify.com/>, which mechanism is administrated by Pirozzi & Hillman, Inc. at 575 Lexington Avenue, 4th Floor, New York, NY 10022.
- g. Enlarge the discovery deadline by at least two months after decision of this motion.
- h. An order providing notice to the Port Authority of New York and New Jersey that the failure to comply with the Court's order is sufficient notice for sanctions under FRCP 37.

Dated: October 15, 2020
New Milford, NJ

Respectfully Submitted,

Yoel Weisshaus, *plaintiff*
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